

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA

Vincent Woodhouse
Plaintiff

v.

Major King, Joseph Ely,
Unit Manager Stallard,
Individually and in their
official Capacities,
Defendants

COMPLAINT
civil Action No. 7:20-cv-00655

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

NOV 06 2020

JULIA C. DUDLEY, CLERK
BY: A. Beeson
DEPUTY CLERK

I. JURISDICTION & VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. The court has jurisdiction under 28 U.S.C. section 1331 and 1333 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. section 2201 and 2202. Plaintiff claims for injunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure.
2. The Western district of Virginia is an appropriate venue under 28 U.S.C. section 1331 (b)(2) because it is where the events giving rise to this claim occurred.

II. PLAINTIFF

3. Plaintiff Vincent Lamont Woodhouse is and was at all times mentioned herein a prisoner of the State of Virginia in the custody of the Virginia Department of Corrections. He is currently confined in Wallens Ridge State Prison, in Big Stone Gap, Virginia.

III. DEFENDANTS

4. Defendant Major King is the Major of Wallens Ridge State Prison. Major King is a member of the Multi-Disciplinary team (MDT). The MDT are responsible to review offenders in restrictive housing and make decisions for housing status.

5. Defendant Joseph Ely is the Unit Manager of the Restrictive housing unit at Wallens Ridge State prison. Defendant Ely is also a member of the Multi-Disciplinary team. (MDT)

6. Defendant Unit Manager Stallard is the Unit Manager of A building at Wallens Ridge State prison. Defendant Stallard is also a member of the Multi-Disciplinary team. (MDT)

7. Each defendant is sued individually and in his official capacity. Each Defendant acted under color of state law.

III FACTS

8. VADOC Special gang investigator Mr. Craig Arms issued a report that releasing plaintiff into the general population in the Virginia Department of Corrections is not advised because Plaintiff has been labeled a snitch. And to ensure the plaintiffs safety, the plaintiff should be housed in protective custody. see exhibit A
9. Despite Mr. Arms recommendations The Multi Disciplinary Team released plaintiff into Wallen Ridge State Prison's General population. I was housed in A4. The MDT ignored Mr. Arms report.
10. On June 24th 2020 I was involved in a argument with Offender Anwar Phillips, after Offender phillips accused me of being a snitch. Offender phillips and the plaintiff were both restrained and removed from A4 and placed in the Restrictive Housing Unit (the hole).
11. On June 24th 2020 offender Anwar Phillips was charged with Threatening bodily harm to the plaintiff, and was found guilty.
12. July of 2020 The Multi-Disciplinary team decided to put Anwar phillips and the plaintiff back in A4 general population housing unit.

13. After the MDT meeting Major King did a round upstairs then downstairs and when he finally got to my door, He Stated "I'm sending you and phillips back to A4 for round two." He then Laughed and walked away.

14. After returning to A4, Unit Manager Stallard called me out of my cell. I was housed in A412. Unit Manager Stallard then stated "you and phillips better learn how to get along, I don't want no shit out of yall again." I then returned to my cell.

15. On August 17th 2020 during pod recreation in A4 Offender Anwar phillips punched me repeatedly in my face with closed fists, while I was listening to my headphones and drinking coffee. I was Knocked unconscious, when I regained consciousness I was on the floor with blood everywhere. My upper lip was split in half and my left eyebrow was split in half. I was taken to medical where I received stitches above my eye and above my lip. I now have 2 permanent scars on my face one above my eye and lip. I now suffer from headaches, paranoia and blurred vision.

IV LEGAL CLAIMS

16. Plaintiff reallege and incorporate by reference paragraphs 1-15.
17. The deliberate indifference to plaintiff's safety violated plaintiff's rights and constituted Cruel and Unusual punishment under the Eighth Amendment to the United States Constitution.
18. The Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

V RELIEF

Wherefore, Plaintiff respectfully request that this Court enter judgement granting plaintiff:

- 19 A declaration that the acts and omissions described herein violated plaintiff's rights under the Constitution and laws of the United States.
20. A permanent injunction ordering defendants to stop housing Plaintiff in General population and to house plaintiff in the VADOC protective custody unit on single cell status.

21. Compensatory damages in the amount of \$80,000.00 against each defendant, jointly and severally.
22. Punitive damages in the amount of \$100,000.00 against each defendant.
23. A jury trial on all issues triable by jury.
24. Plaintiff's costs in this suit.
25. Any additional relief this court deems just proper and equitable.

VI Exhaustion of Legal Remedies

26. Grievance WRSP-20-REG-00356 was appealed to the highest level available. I have exhausted all administrative remedies. See Exhibits B and C attached to complaint.

VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, I certify under penalty that the foregoing is true and correct.

Executed at Big Stone Gap, Virginia on 10/27/20

Vincent Woodhouse
Vincent Woodhouse

Vincent Woodhouse 1031027

Wallens Ridge State prison
P.O. Box 759
Big Stone Gap, VA 24219

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Virginia Dept of Corrections
Has Neither Censored or Inspected
Item. Therefore the Dept Does Not Assume
Any Responsibility For It's Contents



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